

LCRM – Legal Resources Centre from Moldova

Public Statement regarding the slippages in the democratic process from December 3, 2020, committed by the new parliamentary majority PSRM, ?or Party and “Pentru Moldova” group

Gribincea Vladislav · Monday, December 7th, 2020

The National Platform of the Eastern Partnership Civil Society Forum strongly condemns abuses committed by failure to comply with legal procedures of promotion of draft laws, committed by the parliamentary majority, composed of the Socialist Party of the Republic of Moldova, ?or Party, and “Pentru Moldova” group, during the plenary session of the Parliament on the December 3, 2020, namely, adoption, with fragrant violation of the legislative procedures, of draft laws of major importance to the economic, social and information security of the country. The course of events at the plenary session took the characteristics of agreements made between clans with obscure interests in power, jeopardizing the foreign relations with the strategic partners of the USA, the EU and Romania, hiding corruption schemes in the draft budget law and undermining state security through draft laws that fuel separation on ethnic criteria, stimulates separatism and federalization of the Republic of Moldova.

Moreover, none of the draft laws were subjected to anti-corruption expertise nor consulted publicly. Likewise, the draft laws lacked the opinion of the profile parliamentary commissions and the opinion of the Government. The draft laws were voted on as a matter of urgency, although, with one exception, they do not cover urgent topics. We note that most of the decisions adopted on December 3, 2020 have the aim of undermining the role of the new President elect of the Republic of Moldova. We urge members of the Parliament to strictly respect the law, the will of the people, and to refrain from promoting initiatives which undermine the rule of law, the independence of public institutions, democracy and the country’s external relations, as well as encourage the promotion of obscure schemes to the detriment of national interests and objectives. We also urge the Parliament to fully exercise its parliamentary control function, comply with the principles of decision transparency, not to accept for approval documents which have not complied with the legal procedures for consultation with the public. At the same time, state institutions must not change their subordination according to who comes to the Presidency.

At the meeting on 3 December 2020, the Parliament adopted the following main acts:

- In two readings on the same day – [the law on the transfer of SIS to the Parliament’s subordination](#). The draft law was registered in Parliament by the Socialist deputies on December 1, 2020, and voted after 2 days, without the opinions of the parliamentary committees and the

existence of the anti-corruption expert report, which are mandatory according to the law. The draft law was not even discussed in the Parliamentary Committee on Security and Public Order, which had to present the report in Parliament's plenary. According to the disposition of the President of the Parliament, the draft law was transferred for examination to the Legal Committee, controlled by the parliamentary majority. The haste with which this legislative initiative was adopted can only be explained by the desire of the Socialist Party of the Republic of Moldova to politically control the SIS after the loss of the presidential elections by Igor DODON. In fact, the transfer of the SIS under presidential control was also carried out at the request of the Socialist Party of the Republic of Moldova, in 2019, when the country's President was the informal leader of the party.

- In two readings during the same day – [the annulment of the 2018 act on the sale of land on which the republican stadium was located for the construction of the Embassy of USA to the Republic of Moldova](#), after it was registered in Parliament by the Socialist deputies on December 1, 2020. The draft law was also not discussed in all parliamentary committees and was not subjected to anti-corruption expertise. The project was voted without the opinion of the Government, which is mandatory for projects that may affect public revenues. The Government's opinion was also imperiously needed given that the adoption of this project could lead to a deterioration of bilateral relations with the United States. We mention that, on December 2, 2020, the Party registered [in the parliament a draft law for the concession of this land](#), and after the adoption on December 3 of the law, the leader of this party, Ilan Șor, announced on social media networks his intentions to build an amusement park on this land.
- In first reading – [the amendment of the legislation on the functioning of spoken languages on the territory of the Republic of Moldova](#). This draft law, registered by the Socialist deputies on December 1, 2020, was adopted without prior discussion, in the absence of the opinion of all parliamentary commissions and anti-corruption expertise. Given that the subject of languages spoken in the Republic of Moldova is a particularly sensitive one for the society, the illegal adoption of this draft law intentionally aggravates tensions in society, apparently, with the aim to withdraw the public opinion from the real problems of the country (the pandemic crisis that is worsening, the increasing rate of poverty, corruption, etc.)
- In the first reading – [the amendment of the audiovisual legislation](#), for reduction of the mandatory volume of own broadcasted material and to exclude the interdiction to broadcast propagandistic materials from abroad. This draft law was registered by the Socialist deputies on November 23, 2020, 10 days before the approval in the first reading. This draft law was also not discussed in the profile committee (education and mass-media) and has been allocated by the President of the Parliament to be presented to the Legal Commission, controlled by the parliamentary majority.
- In the first reading – the adoption of the fiscal and budget policy, of the state budgets and of the social insurance for the year 2021. The draft laws, with a volume of several hundred pages, were published by the Government for public consultation on November 30, 2020, adopted by the Government on the same day and registered in parliament on the evening of 1 December 2020. Similar to the already established bad practice, the draft laws were not discussed in all parliamentary commissions. Deputies were given less than 24 hours to study them. Given the importance of these draft laws, their hasty examination, even during the first lecture, when conceptual matters of the laws are discussed, has no justification.

It is also a matter of concern that, in the last period of time, deputies of the parliamentary majority have registered several draft laws in parliament aimed at reducing parliamentary democracy. Also during the plenary session on December 3, 2020, the composition of the permanent bureau of the

Parliament was modified- the body that establishes the parliamentary agenda. The number of representatives of the Democratic Party of Moldova, which is now in opposition, has been reduced to ensure control of the parliamentary majority over the permanent bureau. This behavior is irresponsible and can only further degrade confidence in Parliament. [The Venice Commission](#) spoke out against reducing democracy to a simple majority: “Democracy cannot be reduced to the rule of the majority; majority rule is limited by the Constitution and by law, primarily in order to safeguard the interests of minorities. Of course, the majority steers the country during a legislative period but it must not subdue the minority; it has an obligation to respect those who lost the last elections.”

The Moldovan National Platform of the Eastern Partnership Civil Society Forum was created in 2011 and currently has 96 member organisations, 8 of these organisations being umbrella-organisations for other over a thousand organizations. Its mission is to contribute to the European integration process and advocate for democracy in the Republic of Moldova. The National Platform actively contributes to the advocacy process and monitors the implementation of the Association Agreement between the EU and the Republic of Moldova and other relevant documents that refer to the Eastern Partnership and the relationship between the EU and the Republic of Moldova.

The statement in ENGLISH is available [HERE](#).

The statement in ROMANIAN is available [HERE](#).

Signatories of the Declaration :

1. Transparency International Moldova
2. Association for Participatory Democracy ADEPT
3. Centre for Independent Journalism
4. Institute for Urban Development
5. Association of Independent Press
6. Promo-LEX
7. European Institute for Political Studies
8. International Centre for Women Rights Protection and Promotion “La Strada”
9. Institute for Human Rights
10. Alliance of Active NGOs for Social Protection of Child and Family
11. „Ave Copiii”
12. Legal Resources Centre from Moldova

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- 13.National Roma Centre
 - 14.Institute for European Policies and Reforms
 - 15.Independent Analytical Centre Expert-Grup
 - 16.Union of Organisations for Persons with Disabilities from Moldova
 - 17.WatchDog.md Community
 - 18.Amnesty International Moldova
 - 19.ESGA (Expertsfor Security and Global Affairs)
 - 20.CASMED
 - 21.Local Democracy Agency Moldova
 - 22.INVENTO
 - 23.Centre of Development in Education
 - 24.Association for Efficient and Responsible Governance
 - 25.Alliance of Organisations for Persons with Disabilities
 - 26.INFONET
 - 27.Institutum Virtutes Civiles
 - 28.????? ?????? ????????????????
 - 29.Centre for Policies and Reforms
 - 30.Institute for Development and Social Initiatives “Viitorul”
 - 31.Alliance of Small Enterprises from Moldova
 - 32.Business Professional Women
 - 33.Congress of Local Authorities from Moldova
 - 34.Foreign Policy Association35.INTECO
 - 36.„Moms in Action”
 - 37.National Association of Paralegals from the Republic of Moldova
 - 38.„Woman and Child-Protection and Support”
 - 39.„Pro-Europa” Centre from Comrat

40. Regional Centre for Durable Development from Ungheni
41. National Association of European Trainers from Moldova
42. Regional Centre „Contact” B?l?i
43. “Youth for Future”
44. Informational and Support Centre for Young Economists “CERTITUDINE”
45. National Centre of Assistance and Information for Moldovan NGOs “CONTACT”
46. „Pro Regional Cooperation”
47. Small Business Association
48. Centre for Development and Management
49. Centre of Economic Development and Public Affairs
50. Business Consulting Institute
51. National LEADER Network in Moldova
52. “Terra-1530”
53. Association of Women for Environmental Protection and Durable Development
54. Ecological Consulting Centre Cahul
55. BIOS
56. ECOTOX
57. ?tefan-Vod? Territorial Organisation of the Ecological Movement of Moldova
58. Regional Environment Centre from Moldova
59. Association for Waste Recovery E-circular
60. Ecological Movement of Moldova
61. „Hai Moldova”
62. Regional Centre of Environmental Studies ECOS
63. Republican Centre for Children and Youth Gutta-Club
64. International Association of River Keepers „Eco-Tiras”
65. “Cutez?torul”

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66. "Caroma-Nord"
 67. Eco-Contact
 68. "BIOTICA"
 69. National Environment Centre
 70. Alliance for Energy Efficiency and Renewables
 71. Automobil Club Moldova
 72. Eco-Sor
 73. GREEN-School
 74. "Millenium" Training and Development Institute
 75. National Youth Council of Moldova
 76. "Youth for the Right to Live"
 77. East-European Foundation
 78. Cross-Border Cooperation and European Integration Agency
 79. "Eco-R?zeni"
 80. Institute of Public Policies
 81. Foundation for Advancement of Moldova
 82. "Interaction"
 83. Foundation for Education and Advancement of Moldova
 84. AEGEE-Chi?in?u
 85. Centre of Innovation and Policies from Moldova
 86. "VESTA" Gagauzia Regional Association
 87. European Centre for Social Initiatives "Stalker"
 88. Platform for Active Citizenship and Partnership for Human Rights CAP
 89. Labour Institute
 90. National Trade Union Confederation of Moldova
 91. Federation of Trade Unions in Construction and Construction Materials Industry SINDICONS

92.National Trade Union Confederation „S?N?TATEA” din RM

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